

DESIGN REVIEW BOARD - MINUTES
CITY CONFERENCE ROOM 107
August 9, 2007: 4:00 P.M.

A quorum of the DRB was present. In the absence of the Chair and Vice-Chair, a majority of Design Review Board members present voted to appoint Mr. Millikin as Acting Chair to conduct the meeting.

1A. Roll Call.

Members present: Lynch, Millikin, Nelson & Renz

Members absent: Bostater, Hamman & Perney

Department staff: Burger, Klima

1B. Introduction of Guests.
Brian Kirkland, Denny Powell

1C. Additions or corrections to the agenda.
None.

1D. Minutes of June 28, 2007.
Motion to accept minutes as presented approved (4-0).

2. Old Business:
None.

3. New Business:

3A. Review of Application #CC07-8, filed by the Sonic Drive-In Restaurant, 310 S. Santa Fe, requesting the approval of a certificate of compatibility to replace a manual change message sign and with a new electronic message sign on an existing pole sign fixture at the Sonic Drive-In Restaurant located at 310 S. Santa Fe Avenue. The subject property is legally described as Lots 174 & 176 on Santa Fe in the Original Town of Salina.

Mr. Burger presented the staff report for the proposed project as it is contained in the case file.

Mr. Millikin asked does the applicant have anything they would like to add.

Mr. Kirkland stated that John has covered everything very well. There are some things we do after the sign is installed. We go in and set it up so that it does dim automatically and isn't too bright. There are variables where you may have to go in and dim it even more, after it's installed. Those things can't be determined until after the installation. We've done about 16 of these in this general area and we've

been very successful. I can think of only one or two where we've had to go back in after the fact and dim it a little more. We've been very successful with these and haven't received any complaints or negative comments that I am aware of.

Ms. Lynch asked when you say slow it down, is it animated? Is it a moving sign?

Mr. Kirkland stated it transitions from one image to the next. Like John said, you can control the speed. It is all controlled via a satellite. So if we get a call to slow it down, reduce the brightness, it can happen within hours, if not faster. There is a manual and automatic dimming setting.

Ms. Lynch stated the only thing that would disturb me at all is the distraction to traffic. The staff report said that there was no proof in that particular study that it affected traffic. That is my only concern.

Mr. Powell stated there is this type of sign used at several of our stores. These are at Hays, Junction City, Concordia and Topeka stores. When you first put it up it seems like everyone notices it. After a while it seems that it is no more of a distraction than any other reader board. There haven't been any accidents that I know attributed to someone being distracted by the sign or a message. None that I know of.

Mr. Millikin asked is it then a series of static images that transition from one to another?

Mr. Kirkland stated in this particular area it is. We have done some other stores where there is more of a commercial surroundings and greater traffic flow. We will hype it up as much as the area will require. In this area, we would slow the transition down to whatever the need would be, whether it is one second or a maximum of eight second, whatever that requirement will be.

Mr. Nelson said I have a couple of questions. I guess from your comments that there is no added cost to the owner for adjusting it. You can adjust it remotely, however it is needed. There are no upfront costs associated to adjusting it to begin with. You don't have to travel up to do that adjusting.

Mr. Kirkland stated it is all set up to communicate through a satellite relay. We can slow it down or adjust the brightness very easily.

Mr. Nelson asked are you planning anything on the sign that would be like a scrolling marquee, similar to the one that they have at the Bi-Centennial Center? It crawls across—I am not saying that I am opposed to that. Is that part of the display plan to have that?

Mr. Kirkland stated in this area it is more like a message and an image that hits you at one time then changes. In our experience that has been more effective than a longer message when it is scrolling, you are likely by it by the time you could read it.

Mr. Nelson asked will you have little characters, like a Sonic character, who is like running across the screen?

Mr. Kirkland stated there will be some individual aspects that will lend towards some spinning and motion. These could be the restaurant's characters or product or logo. Whatever they are advertising. There have been some locations similar to this where we've toned that way down so there is just a static image and then there is a transition. We have another location that we have applied for that is in a commercial corridor. We're going to spin the fruit and splash the banana split as much as we can there.

Mr. Nelson asked from the City's perspective would that be allowed? Is that something that is covered under Option No. 2?

Mr. Burger stated the intent of the Sign Ordinance for electronic message signs is that there will be no flashing or pulsating lights that could be confused with lights on emergency vehicles or hazard lights like those surrounding road work areas. Those are the really intense lights that could provide a distraction when someone is driving, especially at night. The regular animation or transitions that the applicant is describing, if it is done within an appropriate time frame, would be less distracting. The one good example we have is at Womack Motors that we have put up a slide on.

Mr. Nelson asked under Item D, used for only "on-premise advertising". Does that mean that they can't say something like "Merry Christmas" or something during the holidays. Is that something that wouldn't be allowed? Can you wish someone happy birthday or something like that?

Mr. Burger stated what we would classify off-premise advertising as is the display of goods or services that are not available on the site. This is limited to commercial, for-profit advertising like one would see on the billboard at Front and Ash Streets. There wouldn't be any limitation on service messages or greetings, like when students are recognized for good grades on the message sign at Crawford and Ohio. Birthday and holiday greetings, employee recognition and similar messages would be allowed, as well as announcements for non-profit events. This is meant to exclude only commercial advertising for off-premise businesses.

Mr. Millikin asked are there any other questions or comments? Do I have a motion?

MOTION: Mr. Renz stated I would move that we accept Application #CC07-8 as it is presented under Option No. 2 subject to the four conditions of approval recommended by staff.

SECOND: Mr. Nelson seconded the motion.

VOTE: Motion approved 4-0.

3B. Discussion of the status of the existing 1995 Downtown Design Guidelines.

You likely have noticed in the previous two agendas that staff is following up on where we are on the DRB Ordinance, the Design Matrix and the Design Guidelines. Back in 2004 we were successful in updating the Board's Bylaws for the procedural operations. This recognized that Planning staff was now responsible for the administration of Certificates of Compatibility. That included accepting applications, holding meetings at the City-County Building and coordinating decisions of the DRB with the necessary building, sign and demolition permits. What we attempted to do was to broaden the five general standards that are contained in the Ordinance that we are required to make findings from. These have been a little vague and confusing to interpret by both the Board and staff. Part of this proposal also was to formalize a process where administrative staff could review some minor project types so that an applicant would not have to wait two to three weeks until the next regularly scheduled meeting. The Draft Ordinance did not pass on second reading by the City Commission and was referred to a committee for public input. That committee is now inactive.

We gave you the background on the origin of the Design Guidelines in 1995 and how those were implemented for the review of Certificates of Compatibility by this Board. Since the guidelines were not officially endorsed by the City Commission in 1995, they are considered advisory and staff has not used them to establish findings for DRB decisions. An option that we have identified would be to update the Design Guidelines that we now have, which are based on the Main Street model, to reflect what is going on today in the Downtown with the PUMA Plan and to submit those for official adoption by this Board, the BID Board of Advisors and City Commission. This would make the guidelines mandatory. I have placed a couple of guideline booklets from other jurisdictions on your dias. One model illustrates guidelines that were prepared and based upon the Secretary of Interior's Standards. These are specifically for Downtowns that are National Register Districts or want to become Register Districts. The largest incentive for property owners is that this would qualify a property for the Federal and State Rehabilitation Tax Credits that are available for qualified improvements. These can amount for up to 45% of the rehabilitation cost. There are other Downtown examples that are more form-based guidelines whose objectives are to keep

contemporary development compatible with the existing features and characteristics. Downtown Revitalization Grants funds and Tax Credits are available to districts that adopt and utilize the Secretary of Interior's Standards. The PUMA Plan recommended the nomination of the Downtown as a National Register District to take advantage of these preservation incentives. Ms. Klima will be describing the existing Downtown façade improvement grant program. The program utilizes the 1995 guidelines as one of its award criteria. We have gotten the approval of this Board to proceed with the update to the design guidelines and we will be working with Salina Downtown to refine those. Several members of this Board may be asked to sit with a committee with members of the Business Support and Recruitment Board to coordinate that project.

Phyll Klima, Salina Downtown Inc., one of the reasons Planning staff and Salina Downtown have been talking about the Design Review Guidelines again is because we have a substantially different request in to the City Commission right now for the exterior improvement grant program. I hope that most of you are familiar from our newsletters about the program. I am not sure that you are aware of what is going on there now so I came to make sure you understood why it's a good marriage time to do this as well as this difference in the exterior improvement grants. We have a request in to the City Commission to request \$50,000 in each of the next three years for exterior improvement projects in the Downtown, \$150,000 over the three years. With that in mind, we anticipate getting a lot more activity in the grant program for larger projects in the District. The City Commission at their last Study Session gave tentative approval to the \$50,000 per year. That program in the past started at \$10,000 and then, over this year became \$15,000. So we're talking about three times the amount of money available. We think it is going to help spur improvement projects. We want to insure that the Design Guidelines are in the same order. We would like to take that forward as John said in the same timeline as making the final proposal for the Development Improvement Program. Basically, it is a two-tier program. The lower tier is an under \$3,500 grant. That is exactly what we have been doing these past years. The spec's on the other part of the program is anything over \$3,500 up to a \$15,000 award or \$30,000 for multiple spaces of a building that is subdivided like they just did the Warden Building. If we have multiple applications on one building then that could be up to \$30,000. In some cases the Board would have the option of overriding that substantial project. This would apply to properties having 60 lineal feet or more of frontage on the building. That's why we think it is an excellent time to look at the Design Review Guidelines and marry that with this stronger proposal going forward to the City Commission. Do you have any questions regarding why we requested that increase in the amount of grant money? We think it's really imperative because a lot of people will have to gear up for that kind of process. The larger process as it sits right now is a forgivable loan, requiring 1.5 dollars for every public dollar committed to the project. There will literally be a 3-year lien on the property and a third of that would be forgiven each year on the anniversary of the certificate of completion as I believe it reads right

now. The process is up for review right now. So we think this is a good time to strengthen what you can do as a design review board and solidify everything so that so when people come to us and ask \$30,000 for a large project we will know what is going to be acceptable as far as your review is concerned. I will feel better about it having your direction on the design aspect of this.

Mr. Nelson asked where do people go to apply for this?

Ms. Klima stated that is the SDI Office. I just handed one to Sonic as they were leaving. You would have to be a BID fee paying member, property owner or business owner. They have to be within the geographic boundaries of the Downtown District. The district starts at Elm and extends to Prescott on the south and Fourth to Eight Streets, with some jogs in there. John has a map of that. The geographic boundary of the district is set by City Ordinance. Our office is in it but the City-County Building and this block are not.

Ms. Lynch asked will there be any particular theme or motif you will be trying to promote with this?

Ms. Klima stated that's why we are here today, to strengthen the teeth of your Board and what you want to do and really to set the basis for that whole process because grants wouldn't be awarded to projects that do not meet your standards and guidelines. I am really excited about the Lee District, and I could stand here all day to talk about it if you wanted me to. What it really does, this Lee District, is that it talks about Historic Salina Downtown District. The tag line is "Historic Salina Downtown". It happens to be the Lee District. The reason it will be rebranded the Lee District is because he so strongly exemplified the entrepreneurial spirit of what built this community and still is building Salina's Downtown. We are about small business. Our market is that we are the small business incubator for Salina. Small business creates 97% of the jobs we have in this nation. Lee created several businesses in Salina. He also invested with other entrepreneurs who created several other businesses in this community. He was a community public servant. He sat on several boards. He is one of the people who helped by voting for the bond issue used to build the Country Club Golf Course. When you start digging into the man and what really went on during that time period, you understand how important entrepreneurs were in this community and still are. We want people in this community to know that we want those entrepreneurs in our community, in our area. We want to embrace those individuals, to build the services and support that will help them and the incentives that will attract them to locate in our area. That kind of exterior improvement program is what we are trying to establish. You are all part of that process. Do you have any questions? If not, we would appreciate your considering sitting on this task force, John and I will be sending out some information here shortly and targeting some of you. There are a couple of people we are targeting on the Business Support and Recruitment Committee. Thank you very much.

5. The next meeting, if scheduled, will be on August 23, 2007.

Mr. Burger stated that the Planning Department does not have any applications filed for the August 23, 2007 DRB meeting so that will not be held. The next meeting following that will be on August 30, 2007, which is our 4th Thursday. We expect that "Simply Baby and more" at 128 S. Santa Fe and one other application will be submitted and scheduled for the August 30th meeting.

6. A motion to adjourn is in order.

The meeting was adjourned at 4:45 p.m.

John Burger, Assistant Secretary



Attest:
